

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Waller at 7:30 p.m. on April 27, 2004, in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Lynn Drake-Batts  
Lawrence Littman  
Robert Schultz  
David T. Waller  
Wayne Wright

Absent:

Gary Chamberlain  
Fazal Khan  
Thomas Strat  
Mark J. Vleck

Also Present:

Mark F. Miller, Planning Director  
Brent Savidant, Principal Planner  
Allan Motzny, Assistant City Attorney  
Ron Hynd, Landscape Analyst  
Kathy Czarnecki, Recording Secretary

**Resolution # PC-2004-04-046**

Moved by: Schultz  
Seconded by: Littman

**RESOLVED**, That Members Chamberlain, Khan, Strat and Vleck be excused from attendance at this meeting.

Yes: All present (5)  
No: None  
Absent: Chamberlain, Khan, Strat, Vleck

**MOTION CARRIED**

2. MINUTES

**Resolution # PC-2004-04-047**

Moved by: Schultz  
Seconded by: Drake-Batts

**RESOLVED**, To approve the April 6, 2004 Special/Study Meeting minutes as published.

Yes: Drake-Batts, Schultz, Waller  
No: None  
Abstain: Littman, Wright  
Absent: Chamberlain, Khan, Strat, Vleck

**MOTION CARRIED**

**Resolution # PC-2004-04-048**

Moved by: Wright

Seconded by: Littman

**RESOLVED**, To approve the April 13, 2004 Regular Meeting minutes as published.

Yes: All present (5)

No: None

Absent: Chamberlain, Khan, Strat, Vleck

**MOTION CARRIED****3. PUBLIC COMMENTS**

There was no one present who wished to speak.

**4. POTENTIAL ORDINANCE REVISION DISCUSSION – Presentation by Ms. Sharon M. Schafer regarding Group Day Care Homes in R-1 Districts**

Mr. Miller said Sharon Schafer contacted him regarding the possibility of revising the City Ordinance to allow group day care homes. Mr. Miller explained that a group day care home permits the care of 7 to 12 children; a family day care home permits the care of 1 to 6 children. Mr. Miller reported that the State allows and licenses group day care homes, but the City's zoning ordinance does not permit group day care homes, nor is the City required by the State to allow group day care homes.

Sharon Schafer, 5593 Mandale, Troy, distributed an informational packet relating to the presentation. Ms. Schafer provided her family background and a history of her successful work experience. She informed the Commission that she became aware that group day care homes are not addressed in the City's zoning ordinance when she received a notice of non-compliance from the City's Building Department. Ms. Schafer, who has been licensed by the State for over 14 years, briefly covered the State licensing procedure. Ms. Schafer's presentation highlighted the differences between family day care and group day care, addressed traffic and employee count considerations, provided statistics that support the demand of home day care, and offered suggestions and recommendations in updating the City's zoning ordinance.

A brief question and answer period followed. Ms. Schafer was informed of the procedure that is followed for a proposed revision to the zoning ordinance.

It was the consensus of the Commission to place the matter on the May 4, 2004 Special/Study Meeting agenda for further discussion. The Planning Department will investigate and report its findings on State regulations and home day care ordinances of community cities.

5. PROPOSED REZONING (Z-694) – Proposed Knights of Columbus Hall (in existing building), West side of Dequindre, South of Big Beaver, Section 25 – From B-1 to B-2 or B-3

Mr. Miller presented a summary of the April 13, 2004 Regular Meeting discussion on the proposed rezoning. Mr. Miller reviewed the more intensive special uses that would be allowed should the site be rezoned to B-3 and reported that B-3 zoning would reduce the non-conformance of the rear yard setbacks. Mr. Miller said that the City has advertised the Public Hearing as a rezoning request from B-1 to either B-2 or B-3 zoning.

The petitioner, Mike Kozlowski of Caeruleum Environmental Design, 5603 S. Telegraph, Dearborn Heights, was present. Mr. Kozlowski said the ultimate goal is to convert the building for use as a fraternal hall which is permissible in either B-2 or B-3 zoning. Mr. Kozlowski said he is prepared to seek variances from the Board of Zoning Appeals for reasons that are not related to the zoning classification.

Mr. Miller asked the petitioner if a parking variance might be necessary should the proposed use go forward.

Mr. Kozlowski responded in the affirmative. He said that parking would not be adequate for special events and consideration is being given to providing valet service to an off-site location.

Mr. Miller said it is good general knowledge to know what might be created from a proposed use. The Planning Department must confirm that a proposed zoning district is in compliance with future land use and is compatible with the surrounding area.

6. RELATIONSHIP OF LANDSCAPE ANALYST TO THE PLAN APPROVAL PROCESS – Ron Hynd, Landscape Analyst, Landscape Design and Tree Preservation Standards

Mr. Miller provided a summary of the current process of a preliminary landscape plan and the administration of the Landscape Design and Tree Preservation Standards by the Landscape Analyst with respect to final site plan approval. Mr. Miller said that should City Council approve the proposed zoning ordinance text amendment to require submission of a landscape plan at the time of preliminary site plan approval, the Landscape Analyst would have a closer relationship with the Planning Department and Planning Commission.

Mr. Savidant reported that the Landscape Analyst is in the process of making revisions to the Landscape Design and Tree Preservation Standards and a draft copy of the revised standards were included in the meeting packets.

Chair Waller stated that it is the intent of the Planning Commission to work with all City departments on a team basis. He questioned developments in which trees were completely removed prior to construction.

Ron Hynd, Landscape Analyst, described the review process of a preliminary tree preservation plan. He indicated that after a tree inventory is taken, he marks the plan for desirable trees, trees that fall within the City's preservation range and trees that are classified as either fair or good. This information is forwarded to the developer. Mr. Hynd reported that by the time the developer puts in the required engineering and building elements, which take precedence over the preservation of trees (i.e., road easements, utility easements, rear yard drains, building envelopes, driveways, etc.), the preservation of trees is at a minimum. Mr. Hynd reported he has no recourse in the preservation of trees at the time a final landscape plan is submitted for review. Mr. Hynd also reported that it is virtually impossible to save large groups of trees.

Mr. Savidant asked for an explanation of desirable trees with respect to the caliper size.

Mr. Hynd said any tree listed on the prohibitive species list is automatically removed from the landscape plan, as well as a select variety such as ash and domestic apple. Mr. Hynd explained that historically the City maintained a policy that trees under 4 inches dbh (diameter at breast height) or trees over 10 inches dbh are unsuited to the intrusions that are generally seen during construction. Trees outside of this dbh range are not likely to survive for any length of time and removal of dead trees becomes cost prohibitive to the homeowner.

Chair Waller requested that a list of limitations placed on a development site with respect to tree preservation be created as a working tool for the Planning Commission members.

Mr. Miller stated that traditional development and all of the necessary improvements such as electrical, gas, water, sanitary sewer, storm sewer and building envelope make tree preservation impossible. Mr. Miller reported that cluster development, which is being considered by the City, would allow flexibility to the developer and the City in the preservation of trees, as opposed to the development of a traditional residential subdivision.

There was a brief discussion on the removal of trees at specific developments; i.e., West Oaks and Beach Road.

A brief discussion followed with respect to placing penalties on developers who are in violation of the tree preservation standards.

7. ORDINANCE REVISION DISCUSSION – 10 Foot Landscape Greenbelts – Minimum Tree Requirements – Non Residential and Residential (ZOTA-205)

Mr. Miller reviewed the proposed zoning ordinance text amendments. Mr. Miller stated that he personally and professionally does not see the need for the proposed revisions. He believes that if the proper species are planted, the trees can accommodate the spacing requirements. He also demonstrated how trees could be planted at an oblique angle to accommodate requirements within a greenbelt.

Mr. Hynd distributed the recommended tree list for Michigan's lower peninsula and indicated there are numerous trees with a maximum spread of 30 feet that could easily be selected for planting along greenbelts. Mr. Hynd said there are ordinances in place that address concerns relating to overgrowth and view obstruction. He reported that trees can tolerate crowding and that landscaping is considered a non-permanent fixture that will be removed and replaced in a 10-year span. Mr. Hynd provided a history on the replacement of Colorado Spruce trees at Spectadium located on Livernois, south of I-75.

Mr. Schultz, personally familiar with the situation at Spectadium, said his concern is that the replacement trees provide no screening of the parking lot. It is his opinion that greenbelt planting should obscure the parking area.

Mr. Miller stated the purpose of the landscape greenbelt is not parking lot screening. Zoning ordinance language could be written to screen parking lots.

Discussion followed on the suitable species of plantings in greenbelt areas and maintenance responsibility.

The Commission thanked Mr. Hynd for his attendance at tonight's meeting.

#### 8. PLANNING AND ZONING REPORT

Mr. Miller reported that the Planning Department is working on the development update report for recently approved projects.

The following Council actions were taken at its April 19, 2004 Regular Meeting.

- *Hidden Forest Site Condominium, 34 units proposed, South side of Wattles, East of Livernois, Section 22 – R-1C – **Approved the cul de sac plan with an emergency vehicle access and pedestrian walkway to Troywood***
- *Sussex (fka Freund) Site Condominium, East Side of Adams Road, South of Square Lake Road, Section 7 – R-1A – **Approved Final Site Condominium Review***

#### 9. BOARD OF ZONING APPEALS (BZA) REPORT

Mr. Schultz reported on the April 20, 2004 Board of Zoning Appeals meeting.

##### St. Mark Coptic Church

The BZA granted renewal of a variance for relief of masonry screening walls.

##### Petruzzello's, 6950 Rochester Road

The BZA granted renewal of relief of the masonry screening wall.

3839 Wayfarer

The BZA tabled the request because the residents had not received prior approval from their homeowners association's architectural committee.

10. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller reported on the following items discussed at the April 21, 2004 DDA meeting.

- 2004-05 DDA Budget
- Big Beaver Corridor Study Request for Qualifications (RFQ) – Submissions are due May 21, 2004

11. CIVIC CENTER PRIORITY TASK FORCE

Chair Waller reviewed the charge of the task force and asked for a volunteer representative.

Mr. Miller said the task force plans to meet on Wednesday, May 12, at 7:30 p.m., and noted that alternate meeting dates are Monday, May 17, and Thursday, May 20.

There were no volunteers. Chair Waller said he would conduct a poll of the absent members and appoint a Planning Commission member to the task force.

12. ZONING ORDINANCE TEXT AMENDMENT (ZOTA #200) – Article 34.70.00 One Family Cluster Option

Mr. Miller reported the City Attorney is reviewing the document that incorporates the Planning Consultant's comments. It is the Planning Department's intent to bring back the document for review by the Planning Commission and to go forward with a concurrence in its recommendation to City Council. Mr. Miller indicated it would be the Planning Department's recommendation to table the item should the Planning Commission not have the opportunity to review the document at its May 4, 2004 Special/Study Meeting.

13. PUBLIC COMMENT

There was no one present who wished to speak.

### GOOD OF THE ORDER

Ms. Drake-Batts asked the status of the proposed site plan for Bark! Dog Day Care Center and Commercial Kennel.

Mr. Miller reported the petitioner submitted a new application with revised plans that slightly reduces the outdoor dog run area and changes the hours of operation.

Ms. Drake-Batts asked if parking of commercial vehicles on main roads was previously a study session topic.

Mr. Miller replied that particular topic has not been discussed since his employment with the City, but noted the Commission is free to explore that aspect of commercial vehicle parking.

Mr. Miller reported that owners of mini-warehouse businesses have been extended invitations to attend the May 4, 2004 Special/Study Meeting for discussion of the proposed zoning ordinance text amendments relating to the parking of commercial and recreational vehicles at outside storage facilities.

Mr. Schultz offered a catalog of trees to the Tree Preservation sub-committee.

Mr. Littman questioned the status of the Planning Commission proposed 2004-05 budget.

Chair Waller replied that although the approval of the budget is still in process, he has received favorable comments.

Mr. Miller thanked the Waller's for the farewell party given in honor of Walter Storrs.

Chair Waller referenced the proposed fencing at St. Mark Coptic Church and suggested that the Commission provide some design flexibility in the review process of future site plan requests.

### ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:25 p.m.

Respectfully submitted,

  
David T. Waller, Chair

  
Kathy L. Czarnecki, Recording Secretary